

In the Matter of )  
 )  
Section 63.71 Application of )  
Broadview Networks, Inc., for )  
Authority Pursuant to Section 214 of the )  
Communications Act of 1934, as amended, )  
To Discontinue the Provision of Service )

Broadview Networks, Inc. (“Broadview”), applies for authority under Section 214(a) of the Communications Act, as amended (the “Act”), 47 U.S.C. §214, and Section 63.71 of the Federal Communications Commission’s (“Commission”) rules, 47 C.F.R. §63.71, to discontinue the provision of a single service, Broadview Long Distance Video Conferencing (the “Service”) to five commercial customers (one in each of the States of Massachusetts, New Jersey, and New York, and two in the Commonwealth of Pennsylvania), as a result of Sprint’s recent announcement to Broadview that Sprint, Broadview’s underlying service provider, will discontinue the provision of Sprint’s own Long Distance Video Conferencing Service as of June 30, 2017. Attached hereto as Exhibit A is Sprint’s undated notification of its discontinuance of services to wholesale customers such as Broadview, which such notice was received by Broadview on March 2, 2017.

Sprint's undated notice to its wholesale customers sets forth a laundry list of long distance services which Sprint will cease to provide to its wholesale customers after June 30, 2017. Sprint's notice does not, however, specifically address the service at issue here, Sprint Long Distance Video Conferencing, the service which Broadview continues to

provide to a very small number of commercial customers on a resold basis as Broadview Long Distance Video Conferencing. Discussions with Sprint following receipt of Sprint's discontinuance notice, however, have alerted Broadview to Sprint's position that Sprint Long Distance Video Conferencing is, indeed, one of the services which Sprint will be discontinuing as of June 30, 2017. Broadview's discussions with Sprint have not revealed any replacement products to which Broadview's five existing customers of Broadview Long Distance Video Conferencing service might be migrated. As a result, Broadview is now required to eliminate Broadview Long Distance Video Conferencing to the five customers who continue to utilize the Service as of the date Sprint discontinues the underlying service.

As required by Section 63.71(a) and (b) of the Commission's Rules, Broadview provides the following information:

**Name and Address of Carrier (47 C.F.R. §§63.71(a)(1), (b)(2)):**

Broadview Networks, Inc.  
800 Westchester Avenue  
Suite N-501  
Rye Brook, NY 10573

**Date of Planned Service Discontinuance (47 C.F.R. §§63.71(a)(1), (b)(2)):**

Broadview has been advised by Sprint that Sprint will be discontinuing the following services as of June 30, 2017:

- Legacy Business Long Distance Voice Solutions
- Legacy Toll Free Voice Solutions
- DSL (e.g. DIA over DSL; MPLS over DSL)
- Clearline Private Line Service
- Other Voice Solutions (e.g. FONCARD, Branded Operator Service)
- Sprintlink Packet Private Line
- Virtual LAN Service

According to Sprint, Sprint Long Distance Video Conferencing is included within the scope of the above-listed services. Sprint has further advised Broadview that no service product exists which would effectively replicate the benefits of Sprint Long Distance Video Conferencing and Broadview has been unable to locate any service to which Broadview's customers of Broadview Long Distance Video Conferencing service might be seamlessly migrated. Accordingly, if Sprint ceases the provision of Sprint Long Distance Video Conferencing service as of June 30, 2017, Broadview must simultaneously discontinue the provision of Broadview Long Distance Video Conferencing service to all affected Broadview customers, subject to Commission authorization of discontinuance pursuant to 47 C.F.R. §63.71(c).

**Brief Description of Type of Service Affected (47 C.F.R. §§63.71(a)(3), (b)(2)):**

The service to be discontinued by Broadview is Broadview Long Distance Video Conferencing, presently being provided to a total of five Broadview commercial customers (one each in the States of Massachusetts, New Jersey, and New York and two in the Commonwealth of Pennsylvania). Other than these five commercial customers, no other Broadview customer will be impacted by the decision of Broadview's underlying carrier to cease providing service to wholesale customers such as Broadview. In all other respects, Broadview will continue serving these five specific commercial customers; only Broadview Long Distance Conferencing service will be discontinued.

Broadview has advised each of these five commercial customers of the planned discontinuance of the underlying Service by Sprint and has explained that no product currently exists which would provide an identical functionality as Broadview Long Distance Conferencing. Indeed, with the passage of time, the Service has become outdated

and has been replaced by the majority of Broadview's former customers of the Service with more technologically advanced products providing similar but enhanced service capabilities.

Broadview has also tasked a dedicated team of service representatives to work with these five commercial customers in order to facilitate a transfer, if desired by the customer, to an alternative service arrangement which, while not identical, would mirror in many ways the functionality of Broadview Long Distance Video Conferencing for these customers. No residential customers will be affected by the proposed service discontinuance. Accordingly, the public convenience and necessity will not be impaired by this service discontinuance.

**Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. §63.71(b)(3)):**

As noted above, only five of Broadview's commercial customers utilize the service slated for decommissioning by Broadview's underlying service provider; all affected service locations of those five commercial customers are located within Massachusetts, New Jersey, New York and Pennsylvania. No Broadview residential customer will be impacted by the discontinuation of Sprint Long Distance Video Conferencing service by Broadview's underlying service provider. In accordance with FCC Rules, on May 10, 2017, Broadview sent written notice of the anticipated discontinuance of the Service to all five commercial customers; this notice was sent to each customer's regular record address for the delivery of all correspondence, including monthly service bills, via U.S. Mail, postage prepaid. The text of such notices is set forth hereto at Attachment B.



Copies of this Application are being sent, First Class U.S. Mail, to the Public Utility Commissions and the Governors of the affected States and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by §63.71(a) of the Commission's Rules.

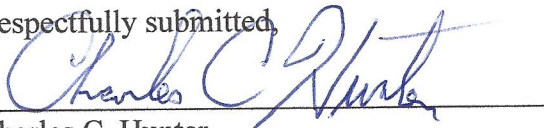
**Regulatory Classification of Carrier (47 C.F.R. §63.71(b)(4)):**

Broadview is considered non-dominant with respect to the Services to be discontinued. Questions about this Application may be addressed to Catherine M. Hannan, Esq., Deputy General Counsel, Broadview Networks, Inc., 14300 Gallant Fox Lane, Suite 103, Bowie, MD 20715, (240) 461-0412, or [channan@broadviewnet.com](mailto:channan@broadviewnet.com).

**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of Broadview Long Distance Video Conferencing service to these five commercial customers. Similar (though not identical) service arrangements are available to these five commercial customers and Broadview will continue to work with these customers to ensure a seamless transition to such alternative service arrangements if the affected customers so desire. Broadview respectfully requests that the Commission approve its Section 63.71 Application.

Respectfully submitted,



Charles C. Hunter  
Executive Vice President, Secretary and  
General Counsel  
Broadview Networks, Inc.  
800 Westchester Avenue, Suite N-501  
Rye Brook, NY 10573  
(914) 922-7589

May 11, 2017

Its Attorney

## **ATTACHMENT A**



Dear Broadview,

Sprint believes the future of wireline is in the convergence of voice, data, and video traffic on a single, all-IP network. Therefore, Sprint is in the process of retiring its legacy voice and data platforms in order to best position you and all of our business customers for easy adoption of future technologies and applications.

**Legacy wireline services scheduled for retirement include:**

Products for Retirement	Target Retirement
<ul style="list-style-type: none"><li>• Legacy Business Long Distance Voice Solutions</li><li>• Legacy Toll Free Voice Solutions</li><li>• DSL (e.g. DIA over DSL; MPLS over DSL)</li><li>• Clearline Private Line Service</li><li>• Other Voice Solutions (e.g. FONCARD, Branded Operator Service)</li><li>• Sprintlink Packet Private Line</li><li>• Virtual LAN Service</li></ul>	<b>June 2017</b>
<ul style="list-style-type: none"><li>• Peerless IP VPN</li></ul>	<b>March 2018</b>

If you have a valid contract for one of the services listed above, Sprint will honor the terms of that contract, including moves, adds, changes and support services, through the Target Retirement Date. If you have a contract that terminates before June 2017, you may renew your contract, but the terms of the contract that relate to the legacy wireline services will not extend beyond June 2017.

**Sprint has alternative solutions available to you.** We have been helping customers like you to switch from legacy wireline services to our state-of-the-art IP network. I'd be happy to discuss specific solutions for your company. Our all-IP network offers a powerful alternative to your current network, enabling converged voice and data solutions that are much easier to maintain than two or three separate legacy networks.

Please call me if you have any questions. My goal is to help you review your current services, identify opportunities for migration to the Sprint all-IP network, and ensure a positive experience with minimal disruptions.

Sincerely,

**Belinda Smith**

Wholesale Account Manager  
O: 847-737-1320 / M: 708-829-1391  
[belinda.smith@sprint.com](mailto:belinda.smith@sprint.com)

**SPRINT WHOLESALE**

## **ATTACHMENT B**





May 10, 2017

[Customer Name]  
[Service Address]  
[Service Address]

Re: Discontinuance of Broadview Long Distance Conferencing Service

Dear [Customer Name],

Broadview Networks has been informed by one of our underlying carriers that it will be discontinuing service of the product which enables Broadview to provide Broadview Long Distancing Video Conferencing (the "Service") to you on June 30, 2017. As you are aware, Broadview Long Distance Conferencing service is a product which utilizes long distance capabilities to permit a room-wide video conferencing experience. In the period of time that Broadview Long Distance Video Conferencing service has been available, the telecommunications services market has advanced technologically in many ways and there are now certain similar products available from Broadview which would provide many of the same service functionalities as Broadview Long Distance Video Conferencing service.

Unfortunately, it is not possible to replicate Broadview Long Distance Video Conferencing exactly in the current telecommunications marketplace. For this reason, we have been in contact with you to provide you the opportunity to select another available product which should provide many of the functionalities of the Service and which would surpass, in certain respects, the capabilities of Broadview Long Distance Video Conferencing service for you. As of the date of this letter, you have not indicated whether you desire to transition to another available service product or simply to permit the scheduled discontinuance of Broadview Long Distance Video Conferencing service to proceed apace (i.e., whether you no longer require or desire a service arrangement with the functionalities previously provided by Broadview Long Distance Video Conferencing service). To aid you in making this decision, Broadview will be in contact with you again in the near future. Broadview appreciates your continued assistance and cooperation as we work to accommodate the changes necessitated by the discontinuance of Broadview Long Distance Video Conferencing service as a result of the retirement of an essential input to the Service by Broadview's underlying carrier.

The FCC will normally authorize the proposed discontinuance of service (or reduction or impairment), unless it is shown that a customer is unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity is otherwise adversely affected. If you do wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases the public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments and a reference to the §63.71 Application of Broadview Networks, Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

On, or after June 30, 2017, subject to approval from the FCC, your existing Broadview Long Distance Video Conferencing service will be discontinued. **If you wish to allow the discontinuation of Broadview Long Distance Video Conferencing service to proceed as scheduled without selecting a replacement product, no action is required on your part.**

If you wish to migrate to a similar service, one which will mirror in many ways the benefits currently provided you by Broadview Long Distance Video Conferencing service, Broadview may require access to your premises to install the new service and/or equipment necessary to your migration to that new service. This may result in a short service interruption while your new service configuration is being installed. **Other than the unavailability of Broadview Long Distance Video Conferencing service after June 30, 2017, you will experience no changes to your Broadview services, which will continue to be provided to you in exactly the same manner as they are today.**

A Broadview representative will contact you within the next few days to discuss your choice of whether to replace Broadview Long Distance Video Conferencing service with a Broadview service which provides a similar functionality and, if necessary, to coordinate a date to migrate your company to that new service.

You may also contact our Customer Care line directly at **1-800-BROADVIEW** at any time to speak with a Customer Care representative should you have any questions or concerns.

We appreciate your assistance and patience through this transition and look forward to providing you with the best solution possible for your business.

Sincerely,

Broadview Networks

**CERTIFICATE OF SERVICE**

I, Catherine M. Hannan, certify that I have, on this 11th day of May, 2017, served  
copies of the foregoing Section 63.71 Application of Broadview Networks, Inc., by U.S.

Mail, postage prepaid, to the following:

Hon. Sara J. Clark, Secretary  
Massachusetts Department of  
Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

The Honorable Charlie Baker, Governor of Massachusetts  
Office of the Governor  
Room 280  
Boston, MA 02113

Hon. Irene Kim Asbury, Secretary  
New Jersey Board of Public Utilities  
44 S. Clinton Avenue  
Trenton, NJ 08625

The Honorable Chris Christie, Governor of New Jersey  
Office of the Governor  
P. O. Box 001  
Trenton, NJ 08625

Hon. Kathleen H. Burgess  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

The Honorable Andrew M. Cuomo, Governor of New York State  
Office of the Governor  
NYS State Capitol Building  
Albany, NY 12224

Hon. Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Keystone Building  
Harrisburg, PA 17120

The Honorable Tom Wolf, Governor of Pennsylvania  
Office of the Governor  
225 Main Capitol  
Harrisburg, PA 17120

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, D.C. 20301

  
CATHERINE M. HANNAN